IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)))
	Plaintiff,) 8:09CR130)
	vs.) DETENTION ORDER
ST	EVEN R. BOBINGER,	
	Defendant.	}
A.	Order For Detention After waiving a detention hearing pursuant Act on May 5, 2009, the Court orders the alto 18 U.S.C. § 3142(e) and (i).	to 18 U.S.C. § 3142(f) of the Bail Reform bove-named defendant detained pursuant
B.	conditions will reasonably assure the	n because it finds: ence that no condition or combination of e appearance of the defendant as required. at no condition or combination of conditions
C.	distribute methamphetan and the distribution of me U.S.C. § 841(a)(1) each imprisonment and a ma possession of a firearm to 18 U.S.C. § 922(g) car imprisonment. (b) The offense is a crime of the offense involves a new control of the offense involves a lateral control of the offense involves and the distribution of me u.S.C. § 841(a)(1) each imprisonment and a ma possession of a firearm to 18 U.S.C. § 922(g) car imprisonment. (b) The offense involves a lateral control of the	and includes the following: e offense charged: y to distribute and possess with intent to nine (Count I) in violation of 21 U.S.C. § 846 thamphetamine (Count II) in violation of 21 carry a minimum sentence of five years eximum of forty years imprisonment; the oy an illegal alien (Count III) in violation of ries a maximum sentence of ten years f violence. arcotic drug. rge amount of controlled substances, to wit:
	may affect wheth The defendant h X The defendant h X The defendant h X The defendant is The defendant of ties. Past conduct of The defendant h The defendant h	of the defendant including: appears to have a mental condition which her the defendant will appear. has no family ties in the area. has no steady employment. has no substantial financial resources. Is not a long time resident of the community. does not have any significant community

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COL	e defendant has a prior record of failure to appear at
	of the current arrest, the defendant was on:
	bation
	ole
	ease pending trial, sentence, appeal or completion of
· · · · · · · · · · · · · · · · · · ·	itence.
(c) Other Facto	rs:
<u>X</u> Th	e defendant is an illegal alien and is subject to
	portation.
The	e defendant is a legal alien and will be subject to
	portation if convicted.
	e Bureau of Immigration and Custom Enforcement
	CE) has placed a detainer with the U.S. Marshal.
Ou	ner:
X (4) The nature and	seriousness of the danger posed by the defendant's
	ows: The nature of the charges in the Indictment.
1010400 410 40 1011	owe. The hatare of the charges in the malethent.
X (5) Rebuttable Presu	mptions
In determining that	the defendant should be detained, the Court also relied
	uttable presumption(s) contained in 18 U.S.C. § 3142(e)
	ds the defendant has not rebutted:
	ondition or combination of conditions will reasonably
	appearance of the defendant as required and the safety
	person and the community because the Court finds that
the crime in	
	A crime of violence; or
(2)	An offense for which the maximum penalty is life imprisonment or death; or
<u>X</u> (3)	A controlled substance violation which has a maximum
<u></u>	penalty of 10 years or more; or
(4)	A felony after the defendant had been convicted of two
(`)	or more prior offenses described in (1) through (3)
	above, and the defendant has a prior conviction for one
	above, and the defendant has a phot conviction for one
	of the crimes mentioned in (1) through (3) above which
	of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release. Indition or combination of conditions will reasonably
assure the a	of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release. Indition or combination of conditions will reasonably appearance of the defendant as required and the safety
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assure the a of the common cause to be X (1)	of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release. Indition or combination of conditions will reasonably appearance of the defendant as required and the safety munity because the Court finds that there is probable lieve: That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more. That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in

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- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: May 5, 2009. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge